

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITAS EDUCATION, LLC,	:	No.: 11 CV 1590-LTS-HBP
Petitioner,	:	
	:	
-v-	:	
	:	
NOVA GROUP, INC., as trustee, sponsor and named	:	
fiduciary of the CHARTER OAK TRUST WELFARE	:	
BENEFIT PLAN,	:	
Respondent.	:	
-----X		
NOVA GROUP, INC., as trustee, sponsor and named	:	No. 11 CV 8726-LTS-RLE
fiduciary of the CHARTER OAK TRUST WELFARE	:	
BENEFIT PLAN,	:	
Petitioner,	:	
	:	
-v-	:	
	:	
UNIVERSITAS EDUCATION, LLC,	:	
Respondent.	:	
-----X		

**NOTICE OF MOTION IN SUPPORT OF RESPONDENTS' AMENDED MOTION TO  
DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law dated September 11, 2012, respondents Nova Group, Inc. and the Charter Oak Trust Welfare Benefit Plan, through undersigned counsel, hereby move this Court before the Hon. Laura Taylor Swain, at the United States Courthouse located at 500 Pearl Street, New York, NY 10007, for an Order dismissing these companion cases pursuant to Fed. R. Civ. P. 12(h)(3) for lack of subject matter jurisdiction.

Respondents and their undersigned counsel certify that they have used their best efforts to resolve informally the matters raised in this motion including, but not limited to, exchanging written communications with opposing counsel outlining respondents' legal and factual positions

on the matter, providing a draft of the accompanying Memorandum of Law to opposing counsel, and having a one-hour telephonic discussion with opposing counsel.

Dated:           Stamford, CT  
                  September 11, 2012

NOVA GROUP, INC. and  
CHARTER OAK TRUST WELFARE BENEFIT PLAN

/s/ Jack E. Robinson

Jack E. Robinson (JR5124)

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